

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
ORR WATER DITCH CO., *et al.*,
Defendants.

Case No. 3:73-cv-00003-LDG

ORDER

Pursuant to an Order of this Court, certain parties seeking to amend the Final Decree have filed an Amended Motion to Modify or Amend the Orr Ditch Decree, and have provided notice of this to all persons and entities who have filed notices of appearance. The Court's Order further provided a briefing schedule for motions seeking discovery relevant to the Amended Motion. Pursuant to that briefing schedule, motions seeking discovery must be filed no later than April 4, 2011, oppositions to such motions must be filed no later than May 4, 2011, and replies to such motions must be filed no later than May 19, 2011. The briefing schedule was served upon all participants who have appeared.

Participants who are not represented by counsel but who have elected to be receiving users of the Court's CM/ECF system will receive electronic delivery of a notice, by e-mail, each time a document is filed in this matter. This e-mail will be sent within

1 moments after the document is filed. Further, the e-mail will include a link to an electronic
2 copy of the filed document, allowing you to retrieve a copy of the filed document.

3 To ensure notice to those participants who are not represented by counsel and who
4 have elected to receive notice by mail, and to limit costs necessarily incurred in mailing
5 notice by regular United States postal delivery, the Court will adopt the following
6 procedures.

7 Participants Not Represented by Counsel.

8 Participants who are not represented by counsel who choose to file a document
9 pursuant to a briefing schedule entered by the Court must timely file a paper document with
10 the Clerk of the Court. The Clerk of the Court will scan the document into the Court's
11 CM/ECF system. Participants who are not represented by counsel will not be required to
12 serve either the document or a notice that they have filed a document on other participants.

13 As noted previously, notice of the filing of the document will be electronically served
14 on all participants who have elected to be a receiving user of the CM/ECF system.

15 Participants who have elected to receive notice by mail will not receive a specific
16 notice when an unrepresented party files a document pursuant to a briefing schedule
17 entered by the Court. Rather, the Court's entry of the briefing schedule and its service by
18 mail upon all participants who have elected to receive notice by mail shall constitute notice
19 of the timely filing of any documents filed by other unrepresented participants pursuant to a
20 briefing schedule.

21 Participants Represented by Counsel.

22 Participants who are represented by counsel must file documents using the Court's
23 CM/ECF system. Participants who are represented by counsel shall also ensure a method
24 by which a free electronic copy of the document can be retrieved and placement of the
25 document at two different physical locations at which a physical copy can be obtained upon
26 payment of copying costs. In connection with their Amended Motion, the Moving Parties

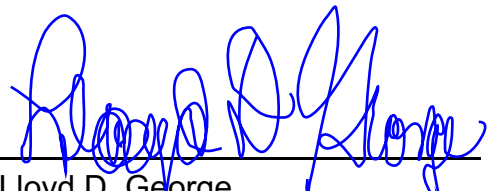
1 made free electronic copies of documents available at ftp.litigationservices.com, and made
2 paper copies of the documents available, upon payment of copying costs, at Sunshine
3 Reporting Services and the Fernley Public Library. The Court will require that all
4 represented parties continue to utilize these same methods to provide access to
5 documents filed in relation to the Amended Motion. That is, the represented parties shall
6 ensure that an electronic copy of the document can be retrieved at
7 ftp.litigationservices.com, and that a physical copy is placed at Sunshine Reporting
8 Services and the Fernley Public Library and available for copying upon payment of copying
9 costs.

10 Each time a represented participant files a document, they must also serve a notice
11 by mail on each unrepresented participant who has elected to receive notice by mail. Such
12 notice may be by postcard, and may provide notice of the filing of multiple documents, and
13 may provide notice on behalf of more than one represented participant. Such notice must
14 contain the following information: language specifically informing the recipient that the
15 recipient is receiving a NOTICE that a document has been filed in the litigation to amend
16 the Final Orr Ditch Decree, language informing the recipient that they are receiving the
17 notice because they elected to receive notice when a document was filed in the litigation to
18 amend the Final Orr Ditch Decree, the date the document was filed, the name of the
19 participant or participants who filed the document, the Court's docket number for the filed
20 document, the name of the document that was filed, the method by which the recipient can
21 receive a free electronic copy of the document, and the locations at which the recipient can
22 obtain a paper copy of the document upon payment of copying costs. If a response to the
23 document is appropriate, the notice shall further state the date by which written response
24 must be filed with the Court.

1 As noted above, notice of the filing of the document by a represented participant will
2 be electronically served on all participants who are receiving users of the CM/ECF system.

3
4 **IT IS SO ORDERED.**

5
6 DATED this 30 day of March, 2011.

7
8 
9 Lloyd D. George
United States District Judge